

Serial No. 09/827,024  
Applicant: Gencarelli

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#### CLAIMS WITH MARKINGS TO SHOW AMENDMENTS

What is claimed is:

1. (As issued) A new and improved ball valve assembly for use in combination with a ground mounted fire hydrant, the assembly comprising in combination:

a fire hydrant housing having a lower extent, an upper extent and an intermediate extent therebetween, a base flange secured intermediate the upper and lower extents for use in securing the hydrant to the ground such that the lower extent extends into the ground, three outlets formed within the upper extent to the hydrant;

C\ a water passage formed within the lower extent of the hydrant housing, three flexible fluid couplings, each of the fluid couplings interconnecting the water passage to one of the three outlets formed within the upper extent of the housing;

a ball valve rotatably secured within the water passage a fluid passage formed within a diameter of the ball valve, the ball valve having a first orientation wherein the ball valve prevents the flow of fluid within the water passage, and a second orientation wherein fluid is permitted to flow through the fluid passage of the ball valve and within the water passage;

a pair of rotatable control rods extending along the upper and lower extent of the hydrant housing, each of the control rods interconnected to a bevel gearing for use in controlling the orientation of the ball valve, thus rotation of the control rods

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in a first sense functioning to bring the ball valve into the first orientation, while rotation of the control rods in a second sense functioning to bring the ball valve into a second orientation.

2. (As issued) A new and improved ball valve assembly for use in combination with a ground mounted fire hydrant, the assembly comprising in combination:

a first hydrant housing having a lower extent, an upper extent and an intermediate extent therebetween, a base flange secured intermediate the upper and lower extents for use in securing the hydrant to the ground such that the lower extent extends into the ground, a number of outlets formed within the upper extent of the hydrant;

a water passage formed within the lower extent of the hydrant housing, a number of flexible fluid couplings, each of the fluid couplings interconnecting the water passage to one of the outlets formed within the upper extent of the housing;

a ball valve rotatably secured within the water passage, a fluid passage formed within a diameter of the ball valve, the ball valve having a first orientation wherein the ball valve prevents the flow of fluid within the water passage, and a second orientation wherein fluid is permitted to flow thorough the fluid passage of the ball valve and within the water passage;

control means for effecting the orientation of the ball valve.

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3. (As issued) The hydrant as described in Claim 2 wherein the control means includes:

a pair of rotatable control rods extending along the ~~upper~~  
upper and lower extent of the hydrant housing, the control rods being interconnected to the ball valve such that rotation of the control rods in a first sense functioning to bring the ball valve into the first orientation, while rotation of the control rods in a second sense functioning to bring the ball valve into a second orientation.

4. (Amended) A ~~new and improved~~ ball valve assembly adapted to be secured to an enclosure, the assembly comprising in combination:

a length of pipe having a first end, a second end and an intermediate extent therebetween, a flange secured intermediate the first and second ends of the pipe for use in securing the length of pipe to a wall such that the length of pipe intermediate the first end and the flange extends into the existing enclosure, the second end of the length of pipe being bent at a 45 degree angle relative to the intermediate extent of the pipe;

a ball valve being rotatably secured within the pipe intermediate the first end and the flange, a fluid passage formed within the diameter of the ball valve, the ball valve having a first orientation wherein the ball valve prevents the flow of fluid within the pipe, and a second orientation wherein fluid is

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permitted to flow through the fluid passage of the ball valve and within the pipe; and

a lever having a first portion with a first end and a second portion with a first end and a second end, a second portion with a first end and a second end and an intermediate extent therebetween, the first end of the first portion being pivotally interconnected to the ball valve, the lever functioning to bring the ball valve from the first to the second orientation, the first end of the second end portion of the lever being positioned and secured proximate to the second end of the pipe, the intermediate extent of the lever including the second end of the first portion being pivotally connected to the intermediate extent of the pipe first end of the second portion, thus the lever enables a user to manipulate the second end of the second portion and control the orientation of the ball valve from outside the enclosure.

5. (Amended) A ~~new and improved~~ ball valve assembly adapted to be secured to an enclosure, the assembly comprising in combination:

a horizontally disposed length of pipe having a first end, a second end, an intermediate extent therebetween, a vertically disposed flange secured intermediate the first and second ends of the pipe for use in securing the length of pipe to a vertically disposed wall such that the length of pipe intermediate the first end and the flange extends into the existing enclosure;

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a ball valve being rotatably secured within the pipe, a fluid passage formed within a diameter of the ball valve, the ball valve having a first orientation wherein the ball valve prevents the flow of fluid within the pipe, and a second orientation wherein fluid is permitted to flow through the fluid passage of the ball valve and within the pipe;

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a lever having a first end, a second end and an intermediate extent therebetween, the first end being pivotally interconnected to the ball valve, ~~the lever functioning the intermediate extent being pivotally secured to the pipe proximate the second end thereof thus enabling a user to actuate the second end of the lever to bring the ball valve from the first to the second orientation; and~~

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*3/25/03*  
the ball valve being positioned intermediate the first end of the pipe and the flange;

6. (Amended) The ball valve assembly as described in claim 5 wherein:

~~the second end of the length of pipe being is bent at a 45 degree angle relative to the intermediate extent of the pipe; and the ball valve is positioned intermediate the first end of the pipe and the flange.~~

7. (Cancelled)

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#### REMARKS

The present amendment is being submitted in response to a telephone interview conducted between applicant's attorney as undersigned and Examiner George Walton on March 20, 2003. Although no definitive agreement was reached, it was agreed that claims as amended herein would receive consideration by the Examiner.

More specifically, the Examiner has indicated Claim 4 as being allowable subject to rendering the description of the lever more definite. This claim is to the embodiment of Figure 2 wherein the ball is inside the enclosure with the control by a user being outside of the building. Claim 5 has been amended to cover the embodiment when the ball is inside the enclosure. This is found nowhere in the prior art. The Examiner has questioned the applicability of the hydrant art as exemplified by Fletter, U.S. Patent Number 287,815. This is deemed overcome by the amendment wherein the length of pipe is horizontally disposed while the flange and end wall are vertically disposed. The relationship of parts thus allows the ball to be inside the enclosure to preclude freezing and wherein the controls can be at any orientation. The Examiner's identification of the patent to Rittin, U.S. Patent Number 1,670,691 is deemed sufficiently close to prior claim 5 so that the broad language of prior Claim 5 has

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been restricted to have the ball inside the structure unsuggested  
by the prior art.

Reconsideration and a notice of allowance are respectfully  
requested.